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FROM:		
Patrea L. Pabst	404-817-8473	12
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DATE: May 1, 2002	URGENCY: ☐ SUPER RUSH	☐ RUSH ☐ REGULAR
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MESSAGE:

Applicants: Howard Bernstein, Donald E. Chickering, Sarwat Khattak and Julie Straub

Serial No.: 09/731,412 Art Unit: 1617

Filed: December 6, 2000 Examiner: E. J. Webman

For: *MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY*

ATL1 #511177 v1

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PTO/SB/21 (08-00)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/731,412
Filing Date	December 6, 2000
First Named Inventor	Howard Bernstein
Group Art Unit	1617
Examiner Name	E. J. Webman
Total Number of Pages in This Submission	
Attorney Docket Number	ACU 105 DIV(2)

ENCLOSURES *(check all that apply)*

- [x] Fee Transmittal Form
 - [] Fee Attached
- [x] Amendment / Reply
 - [x] After Final
 - [] Affidavits/declaration(s)
- [] Extension of Time Request
- [] Express Abandonment Request
- [] Information Disclosure Statement
- [] Certified Copy of Priority Document(s)
- [] Response to Missing Parts/ Incomplete Application
 - [] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [] Assignment Papers *(for an Application)*
- [] Drawing(s)
- [] Licensing-related Papers
- [] Petition
- [] Petition to Convert to a Provisional Application
- [] Power of Attorney, Revocation Change of Correspondence Address
- [] Terminal Disclaimer
- [] Request for Refund
- [] CD, Number of CD(s) _____
- [] After Allowance Communication to Group
- [] Appeal Communication to Board of Appeals and Interferences
- [] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [] Proprietary Information
- [] Status Letter
- [] Other Enclosure(s) *(please identify below)*:

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patrea L. Pabst, Reg. No. 31,284 Holland & Knight LLP Suite 2000, One Atlantic Center; 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400
Signature	
Date	June 6, 2002

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($)

Complete If Known	
Application Number	09/731,412
Filing Date	December 6, 2000
First Named Inventor	Howard Bernstein
Examiner Name	E. J. Webman
Group Art Unit	1617
Attorney Docket No.	ACU 105 DIV(2)

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-1868

Deposit Account Name: Holland & Knight LLP

The Commissioner is authorized to: *(check all that apply)*

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☐ Charge fee(s) indicated below, *except for the filing fee*

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	15	- 20 =	0	x 0	= 0
Independent Claims	1	- 3 =	0	x 0	= 0
Multiple Dependent					=

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) -0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) ($)

SUBMITTED BY

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 817-8473
Signature				Date	June 6, 2002

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6/11/02

AMENDMENT UNDER 37 C.F.R. 1.116
ART UNIT 1617
EXPEDITED PROSECUTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Howard Bernstein, Donald E. Chickering, Sarwat Khattak and Julie Straub

Serial No.: 09/731,412 Art Unit: 1617

Filed: December 6, 2000 Examiner: E. J. Webman

For: *MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY*

Assistant Commissioner for Patents
Washington, D.C. 20231

DO NOT ENTER
6/20/02

AMENDMENT

Sir:

Responsive to the Office Action mailed May 28, 2002, please amend the application as follows.

In the Claims

20. (three times amended) A method for administering a therapeutic or prophylactic agent comprising administering to a patient a matrix for delivery of a therapeutic or prophylactic agent,

wherein the matrix is formed of a biocompatible polymer having incorporated therein an therapeutic or prophylactic agent and an effective amount of a hydrophobic or amphiphilic compound to modify the diffusion of water into the matrix and the release of the therapeutic or

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